

City of Springfield
Regular Meeting

MINUTES OF THE REGULAR MEETING OF
THE SPRINGFIELD CITY COUNCIL HELD
MONDAY JULY 18, 2005

The City of Springfield council met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, July 18, 2005, at approximately 7:08 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken and Councilors Ballew, Ralston, Lundberg, Woodrow, Fitch and Pishioneri. Also present were City Manager Mike Kelly, City Attorney Joe Leahy, City Recorder Amy Sowa and members of the staff.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Leiken.

SPRINGFIELD UPBEAT

CONSENT CALENDAR

Councilor Lundberg asked to remove item 1.a. She had a conflict of interest and recused herself from action on this item.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO APPROVE THE CONSENT CALENDAR WITH ITEM 1.A. REMOVED. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST

2. Minutes

- a. May 2, 2005 – Council Regular Meeting
- b. June 20, 2005 – Joint Elected Officials Work Session
- c. June 20, 2005 – Joint Elected Officials Regular Meeting
- d. June 20, 2005 – Council Regular Meeting
- e. July 5, 2005 – Council Work Session
- f. July 5, 2005 – Council Regular Meeting
- g. July 11, 2005 – Council Work Session

3. Resolutions

- a. RESOLUTION NO. 05-44 – A RESOLUTION TEMPORARILY DESIGNATING A 35 MPH SPEED ZONE ON BELTLINE ROAD.

4. Ordinances

5. Other Routine Matters

- a. Authorize the City Manager to Accept the Offer of the Oregon Department of Transportation (ODOT) for a Portion of Map 17031500 Lot 1000, Now Owned by the City.

ITEMS REMOVED FROM THE CONSENT CALENDAR

1. Claims
 - a. Acceptance of the June 2005, Disbursements for Approval.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR BALLEW TO APPROVE ITEM 1(A). OF THE CONSENT CALENDAR. THE MOTION PASSED WITH A VOTE OF 5 FOR, 0 AGAINST AND 1 ABSTENTION (LUNDBERG).

PUBLIC HEARINGS

1. Proposed Springfield Development Code (SDC) "Housekeeping" Amendments.

ORDINANCE NO. 6133 – AN ORDINANCE AMENDING THE SPRINGFIELD DEVELOPMENT CODE, ARTICLE 1 GENERAL PROVISIONS; ARTICLE 2 DEFINITIONS; ARTICLE 3 DEVELOPMENT APPROVAL AND LAND USE DECISION PROVISIONS; ARTICLE 4 INTERPRETATIONS; ARTICLE 5 NON-CONFORMING USES; ARTICLE 6 ANNEXATION; ARTICLE 9 VACATIONS; ARTICLE 10 DISCRETIONARY USE; ARTICLE 11 VARIANCES; ARTICLE 12 OFFICIAL ZONING MAP AMENDMENTS; ARTICLE 14 PUBLIC HEARINGS; ARTICLE 15 APPEALS; ARTICLE 16 RESIDENTIAL ZONING DISTRICTS; ARTICLE 17 DWP DRINKING WATER PROTECTION OVERLAY DISTRICT; ARTICLE 18 COMMERCIAL ZONING DISTRICTS; ARTICLE 26 HD HILLSIDE DEVELOPMENT OVERLAY DISTRICT; ARTICLE 29 UF-10 URBANIZABLE FRINGE OVERLAY DISTRICT; ARTICLE 31 MINIMUM DEVELOPMENT STANDARDS AND SITE PLAN REVIEW STANDARDS; ARTICLE 32 PUBLIC AND PRIVATE IMPROVEMENTS; ARTICLE 34 PARTITION STANDARDS; ARTICLE 35 SUBDIVISION STANDARDS; ARTICLE 37 MASTER PLANS; AND ARTICLE 38 TREE FELLING STANDARDS; ADOPTING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

City Planner Gary Karp presented the staff report on this item. Since the system development charge (SDC) was adopted in 1986, several decisions have amended the document over 60 times. The last major SDC review and amendment was in 1993. The proposed "housekeeping" amendments generally involve the reformatting of articles, clarifications of text and compliance with recently adopted Oregon Revised Statutes amendments. The proposed "housekeeping" amendments were based on two objectives: 1) to produce a document that more clearly describes and expedites the application review process, based upon input from Planning and Public Works staff; and 2) to streamline discretionary reviews, especially those that require Type III quasi-judicial public hearing approval from the Planning Commission and/or the Hearings Official, based upon input from the Planning Commission.

At the City Council Work Session on June 27, 2005, two significant topics were discussed: 1) deletion of the land division solar standards that the Planning Commission raised to a policy issue; and 2) a proposed "staff" review for annexations of territory under one acre in size. The

City Council gave staff the authority to delete the solar land division standards, but wanted to discuss the annexation topic further. However, in order for the proposed “housekeeping” amendments to be completed on schedule, staff requests that the discussion of possible changes to the annexation review process be postponed to a later date. Therefore, the attached Ordinance includes references to the deleted land division solar standards (Sections 146 and 157) and keeps the annexation process entirely within the City Council’s authority, i.e., the current Type IV review process (Section 39). Staff is using the “emergency clause” on the attached Ordinance for the following reasons: 1) there are a number of applicants waiting to submit under these new provisions, saving them both money and time; 2) due to the City Council’s summer recess, a second reading could not be scheduled until September with an effective date in October; and 3) in order for the “housekeeping” amendments to be effective in the city’s urban transition area, they must also be adopted by Lane County - adoption has been tentatively scheduled for October. A City Council second reading would delay Lane County adoption until December.

Mr. Karp said during the Planning Commission review, the commission asked staff to increase the mail notice requirements from 100 feet to 300 feet. Staff would come back to council in the future to increase the mailing fees for those.

Mayor Leiken opened the public hearing.

No one appeared to speak.

Mayor Leiken closed the public hearing.

Mayor Leiken asked who made the decision on which trees would be cut regarding the section on tree felling. He asked if the applicant or staff member made the decision on which trees were cut.

Mr. Karp said usually the applicant proposes which trees were to be felled. The assigned staff person would then visit the site and determine which fit the criteria.

Mayor Leiken asked if aesthetics played a part in the decision by the staff person.

Mr. Karp said there was nothing in the tree felling ordinance dealing with aesthetics.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO ADOPT ORDINANCE NO. 6133. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

2. Ordinances Adopting Metropolitan Area General Plan Diagram Amendments, Mid-Springfield Refinement Plan Diagram Amendments and Zone Changes for 4 Tax Lots Located in the 600 Block of 34th Street (Journal Number LRP 2005-00015 and ZON 2005-00018, Tyndall Et Al, Applicants)

ORDINANCE NO. 6134 – AN ORDINANCE AMENDING THE METROPOLITAN AREA GENERAL PLAN DIAGRAM BY REDESIGNATING APPROXIMATELY 1.55 ACRES OF LAND FROM LIGHT-MEDIUM INDUSTRIAL TO LOW DENSITY RESIDENTIAL.

ORDINANCE NO. 6135 – AN ORDINANCE AMENDING THE MID-SPRINGFIELD REFINEMENT PLAN DIAGRAM BY REDESIGNATING APPROXIMATELY 1.55

ACRES OF LAND FROM LIGHT-MEDIUM INDUSTRIAL TO LOW DENSITY
RESIDENTIAL CONSISTENT WITH THE METROPOLITAN AREA GENERAL PLAN
DIAGRAM DESIGNATION FOR THIS PROPERTY.

ORDINANCE NO. 6136 – AN ORDINANCE REZONING TAX LOTS 3800, 3900, 4000
AND 4100, ASSESSOR’S MAP 17-02-31-21, FROM LIGHT-MEDIUM INDUSTRIAL TO
LOW DENSITY RESIDENTIAL (1.55 ACRES) CONSISTENT WITH THE
METROPOLITAN AREA GENERAL PLAN DIAGRAM DESIGNATION FOR THIS
PROPERTY.

Planning Manager Greg Mott presented the staff report on this item. These ordinances, if adopted, will allow the property owners to continue the existing residential use of this land in conformance with the comprehensive plan and city zoning laws. The current non-conforming use status applied to these homes will be removed thereby allowing mainstream financial and insurance transactions.

This request will change the plan designation and zoning of four tax lots on 34th Street from light medium industrial (LMI) to low density residential (LDR). Each of the lots is occupied by a single family home and has been since before the Metro Plan and refinement plan changed the zoning from residential to industrial. On July 12, 2005 the Planning Commission voted 5-0 to forward a recommendation in support of the change to the City Council. For a more detailed description of the history, current circumstances and findings addressing plan amendment criteria please refer to Attachment 4 included in the agenda packet.

Mr. Mott said the record was extended at the request of an attorney representing a property owner. The attorney subsequently withdrew his interest in this matter and said they would not be entering anything in the record. The staff report included in the agenda packet constituted the entire record of the proceeding with the exception of the action taken by the Planning Commission on July 12. The agenda item on July 12 included the letter from the attorney, Mr. Kloos, withdrawing his request and indicating that his client had spoken with the applicants and had no objection. The March 17 memorandum received by council prior to the negotiation of the fee that included a map showing the other properties in Adams Plat that had manufactured home on it. Mr. Mott also included a reminder in the July 12 packet that the Planning Commission, in consideration of those housekeeping amendments just adopted by council, had included for exclusion from the normal non-conforming use standards single-wide mobile homes in the Adams Plat. That is related to this request, but was not relevant to these four properties because they do not have single-wide mobile homes. Both the Planning Commission and the City Council took action to allow a single family home to be kept in perpetuity on a light medium industrial (LMI) property spoke to the permanence of that in a roundabout way. The applicants were asking for a more permanent solution, which is the rezoning back to low density residential (LDR) and amending both the Refinement Plan designation and the Metro Plan designation.

Councilor Ballew asked for clarification regarding the single-wide mobile homes.

Mr. Mott said the preceding public hearing on housekeeping items was related to other properties, but was parallel to some of the questions raised at the public hearing of the consequences of tonight’s zone change ordinance. There was no other difference. He explained.

Mayor Leiken said no matter how well we try to plan, we must still adapt and improvise as the community changes.

Mr. Mott said each ordinance needed to be acted on individually.

Mayor Leiken opened the public hearing.

Mr. Tyndall was in the audience to answer questions if needed. Mayor Leiken thanked Mr. Tyndall for attending the meeting.

No one appeared to speak.

Mayor Leiken closed the public hearing.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO ADOPT ORDINANCE NO. 6134. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

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3. Vacation of a 26.5-Foot Wide Public Railroad Easement in the Wildish Industrial Tracts Subdivision (Wildish).

ORDINANCE NO. 5 – AN ORDINANCE VACATING A PUBLIC RAILROAD EASEMENT IN THE CITY OF SPRINGFIELD, LANE COUNTY OREGON. (FIRST READING)

Development Services Director Bill Grile presented the staff report on this item. The applicant, Wildish Industrial Development Corporation, is requesting that the city vacate a portion of a 26.5-foot wide public railroad easement in the Wildish Industrial Tracts Subdivision because there is no need for railroad access to the property. The subject property is located south of the Nugget Way and 19th Avenue intersection on the west side of Nugget Way, Map Number 18-03-03-11, Tax Lot(s) 3700, 3800, 3900, 4000, 4100, 4200 & Map Number 18-03-03-1 Tax Lot 1300.

The Williams Bakery facility, which will be constructed on the subject property, received Final Site Plan Approval on June 6, 2005 (Case Number 2005-00029). While processing the Site Plan Review application for the bakery, it was recognized by city staff that the existing 26.5-foot public railroad easement running along the western property line of Lots 1-7 of the Wildish Industrial Tracts Subdivision must be vacated to accommodate the proposed building footprint. The easement was created in the 1960s and was, through reference, dedicated to the public. The city staff have determined that there is no need for the city to maintain a public railroad easement through the subject property. Therefore, the applicant was directed to seek the City Council's approval for vacation of this public railroad easement.

The City of Springfield does not provide rail service; nor does it plan for, actively obtain or possess a system of railroad easements. It is only through a reference note on the face of a subdivision plat that the City Surveyor determined that this railroad easement was dedicated to the public. Because of the paucity of such easements in Springfield, this is not a common proposal for the city's review. Typically, the City Council reviews the vacation of Public Utility Easements through a Type IV procedure without a recommendation from the Planning Commission. Therefore, staff have determined that the process used for vacation of a Public Utility Easement will be followed in this instance.

Mr. Grile said there was a typo in the ordinance in relation to the ORS stated in the ordinance. He said that city planner Colin Stephens would be working with the City Attorney to provide the correct ORS prior to the second reading and adoption. He said there was no need for rail use across this property and it would, in fact, interfere with the use of the bakery.

Councilor Ballew asked why the railroad easement was there in the first place.

Mr. Grile said the plat itself dated back to the 1960's. He explained the railroad line and a spur that came toward the property. Perhaps the spur was to be continued through this easement.

Councilor Ballew asked if there was any monetary value. It would be worth more without it than with it.

Mr. Leahy said the entity that the easement was in favor of would be the appropriate entity to release the easement. If the surveyor stated that the city was the one who was to initiate vacation of the easement, then that may be appropriate. He said Mr. Hledik may want to ask the title company about removing the easement from the preliminary title report. This was more of a release.

Mr. Grile said it was not a vacation as in a street vacation.

Mr. Hledik read from a letter from the title company stating that the governing body would need to vacate the property. This easement was dedicated to public use.

Mr. Leahy said there was probably some value in cleaning up the title.

Councilor Fitch suggested staff do more research before the second reading and adoption.

Councilor Ballew said she wanted assurance that the city was the proper entity to vacate this easement.

Mayor Leiken opened the public hearing.

1. Randy Hledik, P.O. Box 7428, Eugene, OR. Mr. Hledik said he spoke on behalf of Wildish Industrial Development Corporation and asked for vacation of a portion of an easement that was dedicated for railroad purposes through the Wildish Industrial tracts in 1969. About 1500 feet encumbers the property that would be used to build Williams Bakery. The remaining portion that was not to be vacated was used to serve PW Pipe and an adjacent building that was vacant. Wildish continued to own on both sides of the easement and had it

reviewed by Cascade Title Company. He entered a copy of the response letter received by Cascade Title Company for the record. He read a portion of the letter which acknowledged that the city had jurisdiction to vacate the easement and noting that this should be vacated to remove it from the title for clarity purposes. The easement was established in 1969 when the original development was seen as a being a heavier industrial development with railroad service. A number of railroad lines were drawn on the initial plan for development of the park. PW Pipe, now PW Eagle, continues to use the line as did an adjacent food warehouse operation. Extending the line would cause operational and safety issues for PW Eagle. The line would not be necessary for the bakery. The bakery would be provided with a new rail line.

Mayor Leiken closed the public hearing.

NO ACTION REQUESTED. FIRST READING ONLY.

2. Sign Code Amendments.

RESOLUTION NO. 2 – A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ADOPTING AN AMENDED MASTER SCHEDULE OF RATES, PERMITS, LICENSES, AND OTHER FEES AND CHARGES AS ESTABLISHED BY THE SPRINGFIELD MUNICIPAL CODE AND DECLARING AN EMERGENCY.

ORDINANCE NO. 6 – AN ORDINANCE PERTAINING TO SIGN STANDARDS AMENDING THE SPRINGFIELD MUNICIPAL CODE CHAPTER 8, AMENDING AND ADDING THE FOLLOWING SECTIONS OR PORTIONS THEREOF: 8.218 (3) BANNER PERMIT FEES, 8.218 (4) BLIMPS, PORTABLE SIGNS, PENNANTS, BALLOONS AND SEARCHLIGHTS; AND 8.236 (6) PORTABLE SIGNS. (FIRST READING)

Community Services Manager Dave Puent presented the staff report on this item. The city recognizes the importance of an aesthetically pleasing community to the continued welfare of its population and to the economic development of Springfield. A primary objective of the Springfield Sign Code is to provide regulations that can be administered to allow sign owners and sign users the opportunity to realize their investment and make as many of their own choices as possible while protecting the needs of the public. Currently, the sign code allows banners and portable signs to be installed a maximum of 14 days, 2 times per calendar year. It appears there may be interest in amending the Springfield Municipal Code sign standards to allow banners and portable signs to be installed for a maximum of 30 consecutive days and not more than twice in any calendar year. If these changes are made, it seems that the permit fees for the installation of banners and portable signs should also be adjusted to reflect the actual cost in the administration and enforcement of these amended standards. The attached Resolution reflects a reduction in the current fee schedule from \$80.00 to \$45.00 for each banner and portable sign permit.

Financial impact to the city will be a loss of approximately \$1,000 in yearly revenue resulting from the reduction of the sign permit fee.

Councilor Ballew asked for examples of who would want their banner up for thirty days.

Mr. Puente said Gateway Mall was the first to ask in the late 1990's. He gave examples. These are temporary signs.

Councilor Balles asked why the fee went down from \$80 to \$45.

Mr. Puente said it was now reflective of actual cost recovery.

Mr. Kelly noted the reasons staff brought these proposals to council. The Springfield Chamber of Commerce had heard complaints, especially from new businesses trying to advertise they were open for business, that the banner for two weeks limited their ability to broadcast. The charges were based on cost recovery. He explained the limitations the old sign code had for businesses.

Councilor Lundberg said there was a reason for the 30 days for businesses. She said it made sense to give businesses this time frame. It would clean things up and make it more business friendly.

Councilor Pishonieri asked what the difference was between banner style non-permanent and portable signs.

Mr. Puente said the business could pick one or the other, or a combination of the two.

Councilor Lundberg said this only related to signs outside. Signs put on the inside of the window were not regulated by the city. She said this ordinance made sense.

Mayor Leiken commended staff for trying to listen to the business community and working with them. There were a lot of small business start-ups going in around town.

Councilor Balles said sign ordinances were in place to keep the city looking good. She said the city can't get too far off the mark of keeping our city looking nice.

Mayor Leiken noted his experience as a business owner and that he chose not to use banners. Other businesses feel banners are an important piece in advertising their business.

Mayor Leiken opened the public hearing.

1. Mandy McDonald, 881 Lochaven Ave., Springfield, OR. Ms. McDonald said she and her husband were owners of Firehouse Coffee on Centennial Boulevard in Springfield, which had opened in May. She said the sign codes were not enforced. She noted that a neighboring business complained about the signs on the Firehouse Coffee building. She said they had heard that enforcement of the sign code was complaint driven. She said as a small business owner, they had to remove their mascot in order to put another sign up. She said it was now a very plain building. She said they had paid for the sign and the permits for those signs. She asked what was done with money they spent for sign permits. She noted that many businesses in the city were in violation. She and her husband were trying to do things right. She asked council to review the sign codes to allow them to place their mascot on their building as well as their menu board.

Mayor Leiken said the city could not afford to have staff check out all businesses for code infractions. He asked staff if there was resolution on this issue.

Mr. Puente said the application was brought in the last part of last week and permits were issued.

Ms. McDonald said the mini-boards could be used, but the Dalmatian sign had to be taken off. She expressed the frustration of the code being complaint driven.

Mayor Leiken explained why it was complaint driven.

2. Earl McDonald, 881 Lochaven Ave., Springfield, OR. Mr. McDonald asked where the money for the sign permits went and what it was used for.

Mr. Puente said the sign permit fees went into the General Fund and were used to support Code Enforcement and Building Inspectors to do the inspections and administration of the Sign Code.

Mr. McDonald said that if every business in Springfield had permits for the signs on their buildings, it seemed there would be enough money for enforcement.

Mayor Leiken closed the public hearing.

Mr. Kelly said the McDonald's issue was more with the Sign Code than with the banners and they were asking council to look at the Sign Code beyond the issue of the banners. He discussed the option of allowing new businesses a variance period where they could exceed the signage requirement. Looking at the Sign Code in that way was not currently on the work plan, but staff would look into this issue if council directed them to do so.

Councilor Ralston said he believed these were two different issues. He explained. He asked why a decorative sign was different than a painting of the same thing as decoration. He said a decorative item like the Dalmatian seemed to be different than a sign.

Councilor Ballew said she understood the business owners' frustration because they are trying to follow the rules and others seem to be ignoring the rules and getting away with it. She suggested staff distribute a paper to people who come in to get a sign permit explaining sign violations and where they can be reported. She recognized that people were reluctant to turn in friends or other businesses, but that would be the only way the city would know about violations.

Councilor Lundberg asked what was permitted and what was violated. She would be interested to know if it was banners or signs. She said she was in favor of giving new business every option to be successful and if that meant variances over a short period of time, she would support that.

Councilor Fitch said she agreed that variances should be given to new businesses.

Councilor Ralston said these were two separate issues and the decorative items should be separate. He discussed the possibility of having a variance that would allow the city to determine if it was an attractive sign.

Councilor Fitch said it would be difficult to determine what looked good to some and not to another. She said she would prefer a variance for start-up businesses. If a decorative item included the name of the business, it may be considered a sign.

Discussion was held regarding what constituted a sign compared to a decoration.

Mr. Leahy suggested that staff look closer at this issue. He said staff had tried to have a distinct description of what was allowed and what was not, rather than having to make decisions on what looked good. He suggested staff come back and give council a report on what the city currently implemented and why. Council could then make some recommendations.

NO ACTION REQUESTED. FIRST READING ONLY.

BUSINESS FROM THE AUDIENCE

1. Fred Simmons, 312 South 52nd Place, Springfield, OR Mr. Simmons said he was concerned about the McKenzie Forest Products purchase. He referred to the Environmental Study done in 1987 and in 2003. In his opinion, the studies left a lot to be desired. He referred to the four parcels on the property. He said the report did not refer to environmental issues on several of those parcels. He referred to the funding for purchase of this property and his concerns regarding the funding sources for this purchase. There was nothing in the agreement that stated that McKenzie Forest Products did not know there was anything there. He suggested council read over the agreement and look it over carefully. He said he would provide a written document at a future meeting regarding diesel contamination. He said there were issues regarding the diesel contamination.
2. Phil Marvin, P.O. Box 2055, Eugene, OR Mr. Marvin said he had attended the Joint Elected Officials (JEO) meeting on June 20, 2005. He said he had concerns about the ordinance for the overlay district in Glenwood. He felt council had over-stepped their bounds. This would impact many property owners in the area. He said it should be given a more serious look and more time. He said he had a major piece of property that would be impacted highly in that area. He had talked to other property owners who did not understand the impact of the overlay district. He understood that the time for public comment was over, but he hoped council would reconsider before voting for it.

Councilor Ralston asked if council was making a decision on this or if the Springfield Economic Development Agency (SEDA) would be making the decision.

Mayor Leiken said it was an ordinance and would be a council decision.

3. Steve Moe, P.O. Box 847, Springfield, OR Mr. Moe displayed a rose bush that was one of about twenty-five cuttings from a rose bush that had been brought over on the wagon train with Isaac Briggs who settled in Springfield. The original plant was planted at 2nd and B Street. A cutting had been taken of that and planted on the Seaver's property in Glenwood. He said there were twenty-five cuttings of this rose which they were donating to the city, Willamalane or anyone else that wanted one. They were an old style, hearty rose. He said he called it the Springfield Rose. He displayed some of the blossoms.

Mayor Leiken asked about the age of the original rose bush.

Mr. Moe said they came over the wagon train in 1850.

Councilor Ballew asked Mr. Leahy if he had a comment about Mr. Simmons testimony.

Mr. Leahy said council may want to meet in Executive Session regarding the McKenzie Forest Products land purchase contract. He said the city was close to closing as council had already approved the contract. Council had been made aware of the water pond issue. He noted that Mr. Simmons was concerned about the Environmental Reports. Both of the Environmental Reports Mr. Simmons' referred to were submitted and reviewed by city staff. He suggested council talk about the agreement in an Executive Session.

Councilor Fitch asked to have Mr. Moe write up a brief synopsis of the rose story. She said she would take one of the Springfield Roses and donate \$40 to his favorite charity.

Staff would contact Mr. Moe.

COUNCIL RESPONSE

CORRESPONDENCE AND PETITIONS

1. Correspondence from Nick Shevchynski, 2445 Skyline Blvd., Eugene, OR Regarding Retraction of an ORS30.275 Notice to Springfield City Council.
2. Correspondence from Ron S. Howes, President of the SAFE Board of Directors, 230 Main Street, Springfield, OR Regarding the CAHOOTS Program.
(See attached staff response and response letter from Police to Mr. Howes.)

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO ACCEPT THE CORRESPONDENCE FOR FILING. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

BIDS

ORDINANCES

1. Request for Metro Plan Diagram Amendment, Concurrent Glenwood Refinement Plan Diagram Amendment, Glenwood Refinement Plan Text Amendment Establishing Designation, Zoning, and Development Policies, and Amendment to the Springfield Development Code for the Area Known as "Subarea 8: The River Opportunity Area" in the Glenwood Refinement Plan, Excepting the Parcels South of the Railroad Tracks.

ORDINANCE NO. 6137 – AN ORDINANCE IN THE MATTER OF AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN (METRO PLAN) DIAGRAM FOR PROPERTY IN THE GLENWOOD AREA, WITH CONCURRENT GLENWOOD REFINEMENT PLAN DIAGRAM, REFINEMENT PLAN TEXT AMENDMENTS, AND SPRINGFIELD DEVELOPMENT CODE AMENDMENTS, AND ADOPTING SAVINGS AND SEVERABILITY CLAUSES.

Mayor Leiken disclosed that Philip Marvin and other property owners in Glenwood work with the bank where he is employed. He asked if he should recuse himself from discussion on this item.

Mr. Leahy asked if Mayor Leiken was working actively on property owned by Mr. Marvin or the other property owners within the Glenwood area.

Mayor Leiken said possibly.

Mr. Leahy said it would be best for the Mayor to recuse himself.

Mayor Leiken recused himself from discussion of this item.

City Planner Susanna Julber presented the staff report on this item. On June 20, 2005, the Joint Elected Officials of Springfield and Lane County conducted a work session and public hearing on the proposed amendments.

The package of Amendments will allow the development of Subarea 8 in Glenwood into a land use pattern which includes a mix of residential, office, and commercial uses along the Glenwood Riverfront, as well as allow the flexibility to respond to a changing market through a Master Plan Modification procedure.

The Springfield City Council held a first reading of the ordinance, and the Lane County Commissioners held a second reading at the June 20 meeting. On July 18, the council will reopen the record and request summation and recommendation from staff. Although the record will be reopened on July 18, in accordance with Springfield Development Code section 14.080(12) and (13) the public hearing is closed and no additional public testimony will be accepted. The council is therefore asked to limit questions to information already contained within the record. After summation and questions, the council is then asked to deliberate and entertain motions regarding the attached ordinance.

Ms. Julber said property owners in this area had been contacted and/or noticed since the June 20 meeting. Language was added to the ordinance on page 1-5, stating "The parcels south of the railroad tracks currently part of Subarea 8 will become part of Subarea 9 at the time of annexation request and subsequent Glenwood Refinement Plan Amendment". She said the council would still make their decision on Subarea 8, except those parcels, which would remain in Subarea 8 only until development requests. At that time, the property owners could decide which area to go to. Ms. Julber said staff talked with Springfield City Attorney Joe Leahy and Lane County Counsel Steve Vorhees who approved of moving forward with the additional language without starting the hearing process over again. Staff concurred with all recommendation from the Lane County and City of Springfield Planning Commissions, except that the Lane County Commission recommended that the setback from the Willamette River be set at 100 feet, but the amendments were written to reflect a 75-foot setback based on existing laws and to meet Federal Clean Water Act requirements. Staff's recommendation was for council to adopt the amendments based on the findings in the record and the recommendations of the Planning Commissions.

Councilor Fitch commended staff for their hard work. There had been a lot of public input and comment with numerous public meetings and open houses. She said this was the beginning of the vision to allow redevelopment in Glenwood in a way we could embrace for the riverfront and would be proud of in future years.

Councilor Pishioneri agreed.

Councilor Ralston said he agreed to stay with 75 foot setback as it gave developers more flexibility.

IT WAS MOVED BY COUNCILOR WOODDROW WITH A SECOND BY COUNCILOR LUNDBERG TO ADOPT ORDINANCE NO. 6137. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

BUSINESS FROM THE CITY COUNCIL

1. Business from Council

a. Committee Report

1. Councilor Ralston reported on the Lane Regional Air Pollution Authority (LRAPA) Board. He said there were 10 applications received for the Springfield position. The results of a straw poll by current members were tabulated and the top five would be interviewed. He mentioned two applicants that he knew. He said they had a good meeting this month. The press had given LRAPA a bad image. There were two good applicants for the director and neither one chose to take the position because they were concerned about the future of LRAPA. An interim director had been appointed from the LRAPA staff (Merlin Huff). He said a goal setting session would be held in the next couple of months. After the 9th member was appointed, the Board would re-evaluate and possibly repost for the new director. Jim Johnson would be stepping down as director to take on the County Public Safety District. LRAPA could save money during this interim period.
2. Councilor Fitch said she recently attended the Governor's Fire Service Advisory Panel. During this meeting legislature was reviewed, including the cigarette that would go out if someone was not smoking it to prevent fires and deaths. She thanked the fire service and noted that one of Springfield's Chaplains assisted with Oakridge following the passing of their Fire Chief.
3. Councilors Woodrow and Lundberg attended the City/County Public Safety Task Force meeting last week. All of the cities listed their wants, needs and goals for the Public Safety District. There were more assignments for the next meeting.
4. Mayor Leiken thanked Councilors Lundberg and Ballew for attending meetings he could not attend. He commended Councilor Ralston for his leadership on the LRAPA Board through this difficult time.
5. Councilor Ralston asked about Social Gaming ordinance and when it would be coming to council. He said Don McCabe would like a copy prior to the meeting so he could be prepared.

Mr. Leahy said he and Police Chief Smith were drafting the ordinance and would get a final copy to Mr. McCabe.

BUSINESS FROM THE CITY MANAGER

BUSINESS FROM THE CITY ATTORNEY

Mr. Leahy recommended council adjourn to Executive Session for the purposes of allowing consultation with legal counsel regarding a pending contract and/or litigation associated with that contract.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR WOODROW TO ADJOURN TO EXECUTIVE SESSION. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

ADJOURNMENT

The meeting was adjourned at approximately 8:20 p.m.

Minutes Recorder Amy Sowa

Sidney W. Leiken
Mayor

Attest:

City Recorder